AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

MH

United States of America
v.
Richard Rashad Edwards
Defendant

Case No. 2:17-MJ-167

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 12/15/2016 in the county of Franklin in the Southern District of Ohio, the defendant violated 21 U. S. C. § 841 (a)(1) & (b)(1)(C), an offense described as follows:

1) 21 USC 841- Knowingly or intentionally manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance, to wit: a quantity of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance and fentanyl, a Schedule II controlled substance that resulted in serious bodily injury and/or death after ingesting a controlled substance, namely heroin, which had been distributed by Richard Rashad Edwards.

This criminal complaint is based on these facts:

See Attached Affidavit

☑ Continued on the attached sheet.

Complainant's signature

Chadwick Van Sickle, Special Agent (HSI)
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/29/2017

Judge's signature

City and state: Columbus, Ohio

Elizabeth Preston-Deavers, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Chad Van Sickle, having been duly sworn, depose and state:

1. I am a sworn Special Agent employed by the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I have been employed as a Special Agent since May 2007, and I am currently assigned to the Office of the Resident Agent in Charge in Columbus, Ohio. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request an arrest warrant. Your affiant gained experience through a Bachelor of Science Degree in Criminal Justice, Law Enforcement concentration, completion of the Ohio Police Officer's Training Academy in 2000, completion of the Federal Criminal Investigator Training Program (CITP) in 2007, and completion of the ICE Special Agent Training Academy in 2007. During CITP and the ICE Academy training, your affiant was instructed in all phases of criminal investigation such as: criminal law, search and seizure, field enforcement techniques, firearms proficiency, drug and narcotics identification, drug and narcotics field testing, interviewing and evidence collection. Prior to being employed by ICE, your affiant was employed with the Delaware County, Ohio Sheriff's Office from January 2001 until May 2007. I am responsible for investigating all violations of Customs and Immigration laws, including narcotics investigations and have participated in numerous investigations involving narcotics trafficking. I have received specialized training in the subject of narcotics trafficking and money laundering and have been personally involved in investigations concerning the possession, manufacture, transportation, distribution and importation of controlled substances, as well as methods used to finance drug transactions.

2. The information set forth in this affidavit is based upon my knowledge, training, experience, and participation in investigations involving the smuggling, possession, distribution, and storage of narcotics and narcotics proceeds. This information is also based on the

knowledge, training, experience, and investigations conducted by fellow law enforcement officers, which have reported to me either directly or indirectly. I believe this information to be true and reliable. I know it is a violation of Title 21, United States Code, Section 841 (a)(1) and (b)(1)(c) for any person to knowingly or intentionally manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance and/or a quantity of a mixture and substance containing a detectable amount of a controlled substance which results in the serious bodily injury and/or death of another after ingesting a controlled substance.

3. On August 28, 2016 the Whitehall Division of Fire paramedics responded to 4444 East Main Street Room #13 in Whitehall, (Franklin County) Ohio, within the Southern District of Ohio, after John Castle injected himself with suspected heroin subsequently causing him to overdose. The Whitehall Division of Fire paramedics arrived on the scene and found CASTLE was unresponsive, with shallow breathing. CASTLE was eventually revived by being administered a total of four milligrams of Naloxone Hydrochloride Injection (Narcan) nasal spray by paramedics, then was transported to Mount Carmel East Hospital for further medical evaluation. CASTLE was admitted to the hospital with a finding of heroin overdose and polysubstance abuse history. CASTLE was discharged from the emergency room on August 29, 2016 at 1:43 A.M.

4. On November 16, 2016, your affiant was trained in the use and administration of Narcan during a first aid training presented by Homeland Security Investigations at the Ohio State Highway Patrol Academy in Columbus, Ohio. Narcan nasal spray is a prescription medication carried by medical first responders and many law enforcement officers that is used in the treatment of an opioid emergency, such as an overdose or a possible opioid overdose with signs of breathing problems and severe sleepiness or not being able to respond. Narcan is used to temporarily reverse the effects of opioid medicines.

5. On September 8, 2016, Sergeant Nathanael Smith (here in after referred to as N. Smith) with the Franklin County Sheriff's Office, Heroin Overdose Prevention and Education (H.O.P.E) Task Force conducted a recorded voluntary interview with John CASTLE regarding his

overdose on August 28, 2016. CASTLE admitted and that he and Devon NENOFF had shared a portion of what he believed to be heroin that NENOFF had purchased from an individual he identified as "Rich." CASTLE utilized the social media website Facebook and revealed an account under name "Richard Edwards" – subsequently identified as the defendant, Richard EDWARDS (herein EDWARDS).

6. On September 8, 2016, Sergeant N. Smith completed a voluntary interview with Devon NENOFF regarding the events leading up to CASLTE'S overdose on August 28, 2016. NENOFF stated he, CASTLE, and NENOFF'S brother, Ryan NENOFF, went to a friend's residence and he contacted EDWARDS who brought NENOFF two "20" (.20 grams each) bags of a greyish white powdered substance for approximately forty ($40.00) dollars (.40 grams total of what was portrayed to be heroin). Once the transaction with EDWARDS was complete, Devon NENOFF stated, he, Ryan NENOFF and CASTLE went to their hotel room located at 4444 East Main Street, Room #13 in Whitehall, Ohio, where CASTLE used some of the heroin, which caused him to overdose.

7. On October 26, 2016, Devin NENOFF was arrested on one count of corrupting another with Drugs. After his arrest, NENOFF was read his Miranda Rights, and signed a waiver of those rights and agreed to answer questions. NENOFF reiterated his first confession and stated he purchased the Heroin from EDWARDS, gave some of that heroin to John CASTLE which caused CASTLE to overdose.

8. As a result of this information, in October of 2016, Detective J. Smith began conducting a narcotics investigation on Richard EDWARDS investigating his involvement with trafficking heroin and crack cocaine in Columbus, (Franklin County) Ohio, within the Southern District of Ohio, which included securing a court order for precision location data for telephone number 614-596-6800, a number associated with EDWARDS.

9. On November 28, 2016, while under the direction of Detective J. Smith of the Franklin County Sheriff's Office, H.O.P.E Task Force, a Confidential Informant did purchase approximately one (1) gram of crack cocaine from EDWARDS for the sum of one-hundred

dollars in pre-recorded U.S. Currency, and used telephone number 614-596-6800 to setup and complete the narcotics transaction with EDWARDS. The substance purchased was sent to BCI (Ohio Bureau of Criminal Investigation) for laboratory analysis and the findings were the substance contained 0.52 grams of cocaine base (crack cocaine).

10. On December 13, 2016, while under the direction of Detective J. Smith, a Confidential Informant purchased approximately one (1) gram of what EDWARDS portrayed as crack cocaine for the sum of one-hundred dollars in pre-recorded U.S. Currency. The Confidential Informant utilized telephone numbers 614-596-6800 and 614-312-6703 to setup and complete the narcotics transaction with EDWARDS, and a total of five small plastic baggies with a gross bagged weight of 1.56 grams was sent to BCI for laboratory analysis.

11. On December 15, 2016, the Whitehall Division of Fire Paramedics and Police arrived at 895 Bernhard Road; Apartment D in Whitehall, Ohio after Gail SALYERS injected Heroin and subsequently overdosed. The Whitehall Division of Fire Paramedics reported SALYERS was found unresponsive, pulseless, and apneic upon their arrival. SALYERS was administered a total of six milligrams of Narcan by paramedics with very little results according to the Emergency Medical Services (EMS) run report. SALYERS was transported to Mount Carmel East Hospital where she was later pronounced deceased on December 25, 2016 at approximately 3:30 A.M. by Doctor Khairi Shmina. Det. J. Smith obtained the Franklin County Coroner's Office Coroner's report for Gail SALYERS. Det. J. Smith observed SALYERS immediate cause of death to be hypoxic brain injury as a consequence of opiate toxicity (probable heroin).

12. On December 19, 2016, SALYERS' son, Dylan SALYERS, was interviewed by Whitehall Division of Police Detective John Slosser regarding the events leading up to Gail SALYERS overdose and eventual death. Det. Slosser read Dylan SALYERS his Miranda Rights and provided SAYLERS with a Rights Waiver form, which SALYERS voluntarily signed allowing Det. Slosser to speak with him. During the course of the interview, Dylan SALYERS admitted to obtaining heroin from an individual known to him as "Little Richard" - subsequently identified as the defendant Richard EDWARDS.

13. Dylan SALYERS stated that once he purchased the heroin form EDWARDS, he returned inside his residence with Gail SALYERS, prepared the heroin in a syringe and handed it to her. A short time later, he found her unresponsive on a couch in the living area.

14. On December 20, ~~2017~~ 2016, CMV, while under the direction of Detective J. Smith, a Confidential Informant utilized telephone number 614-596-6800 to set-up and then purchase an additional approximately 0.64 grams of suspected crack cocaine and 0.45 grams of suspected heroin from EDWARDS for the sum of one-hundred and fifty dollars in pre-recorded U.S. Currency. The suspected crack cocaine field tested positive for crack cocaine, both the crack cocaine and heroin were sent to BCI and are awaiting chemical analysis.

15. As a result of all of these investigative actions, on December 22, 2016, a narcotic search warrant was executed at the residence of EDWARDS located at 4546 San Jose Lane in Whitehall, Ohio. During the course of searching the residence, members of the Special Investigations Unit located three small baggies containing a white substance believed to be crack cocaine and multiple clear plastic baggies with the ends ripped off. Due to Det. J. Smith's training and experience this type of packaging is consistent with packaging used for narcotics trafficking. Once the search warrant was complete, EDWARDS was verbally read EDWARDS his Miranda Rights and provided him with a rights waiver form which he signed voluntarily agreeing to speak with Det. J. Smith. During the course of the interview, EDWARDS admitted that 614-596-6800 was his old narcotics trafficking phone number, admitted that 614-312-6703 was EDWARDS' new narcotics trafficking phone number and that he had been affiliated with the Crip street gang and had been selling drugs, primarily crack cocaine, all his life. EDWARDS admitted to previously selling heroin, but stated he hasn't sold heroin for approximately four months.

16. In a BCI laboratory report dated January 9, 2017, which contained an analysis of the drug paraphernalia which was discovered within the residence of Gail SALYERS. A partial aluminum can with residue was discovered with trace amounts of heroin and fentanyl within the residence. Additionally, three syringes were discovered throughout the residence, one

was found to contain a trace amount of heroin and the other was discovered to contain a trace mixture of both heroin and fentanyl.

17. Based on the foregoing facts, there is probable cause to believe that Richard EDWARDS did knowingly or intentionally possess with intent to distribute, or dispense, a controlled substance, to wit: heroin a Schedule I controlled substance and a quantity of a mixture and substance containing a detectable amount of Heroin, a Schedule I controlled substance, and of Fentanyl, a Schedule II controlled substance, which resulted in serious bodily injury and/or death from the use of such substance in violation of Title 21 United States Code, Section 841 (a)(1) and (b)(1)(c).

Chadwick Van Sickle, Special Agent
Homeland Security Investigations

Sworn to before me and subscribed to in my presence this 29th day of March, 2017.

Elizabeth Preston-Deavers, United States Magistrate Judge